

KEVIN G. HORBATIUK (KGH-4977)
RUSSO, KEANE & TONER, LLP
Attorneys for Defendant
CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
26 Broadway - 28th Floor
New York, New York 10004
(212) 482-0001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**

21 MC 102 (AKH)

MARTHA ATEHORTUA,

DOCKET NO.:
08 CV 2565

Plaintiff,

-against-

**100 CHURCH, LLC, 90 CHURCH STREET
LIMITED PARTNERSHIP, ALAN KASMAN
DBA KASCO, AMBIENT GROUP, INC., ANN
TAYLOR STORES CORPORATION, BATTERY
PARK CITY AUTHORITY, BELFOR USA GROUP,
INC. BLACKMON-MOORING STEAMATIC
CATASTOPHE, INC., d/b/a BMS CAT, BOARD
OF EDUCATION OF THE CITY OF NEW YORK,
BOARD OF MANAGERS OF THE HUDSON
VIEW EAST CONDOMINIUM, BOSTON PROPERTIES,
INC., BROOKFIELD FINANCIAL PROPERTIES, INC.,
BROOKFIELD FINANCIAL PROPERTIES, L.P.,
BROOKFIELD PARTNERS, LP., BROOKFIELD
PROPERTIES CORPORATION, BROOKFIELD
PROPERTIES HOLDINGS, INC., CUNNINGHAM
DUCT CLEANING CO., INC., DEPARTMENT OF
BUSINESS SERVICES, ENVIROTECH CLEAN
AIR, INC., GPS ENVIRONMENTAL CONSULTANTS,
INC., HILLMAN ENVIRONMENTAL GROUP, LLC
HUDSON VIEW WEST CONDOMINIUM, HUDSON
VIEW TOWER ASSOCIATES, INDOOR
ENVIRONMENTAL TECHNOLOGY, INC.,
JACK RESNICK & SONS, INC., KASCO
RESTORATION SERVICES, CO., LAW**

**NOTICE OF
ADOPTION OF
ANSWER TO MASTER
COMPLAINT**

**ENGINEERING P.C., MERRILL LYNCH & CO., INC.,
NEW YORK CITY SCHOOL CONSTRUCTION
AUTHORITY, NOMURA HOLDINGS AMERICA,
INC., NOMURA SECURITIES INTERNATIONAL
INC., R Y MANAGEMENT CO., INC., RESNICK
75 PARK PLACE LLC., ROYAL AND SUNALLIANCE
INSURANCE GROUP, PLC RY MANAGEMENT,
STRUCTURE TONE (UK), INC., STRUCTURE
TONE GLOBAL SERVICES, INC., TOSCORP,
INC., TRC ENGINEERS, INC., TRIBECA
LANDING LLC TUCKER ANTHONY, INC.,
VERIZON NEW YORK, INC., WESTON
SOLUTIONS, INC., WFP TOWER A CO.,
WFP TOWER A CO. G.P. CORP., WFP TOWER
A CO., LP., WFP TOWER B CO., G.P.,
CORP., WFP TOWER B HOLDING CO., L.P.,
WFP TOWER B CO., L.P., WFP TOWER D CO.,
G.P., CORP., WFP TOWER D HOLDING CO. I
L.P., WFP TOWER D HOLDING CO., II L.P.,
WFP TOWER D HOLDING I. G.P., CORP.,
WFP TOWER D. CO., L.P., and
ZAR REALTY MANAGEMENT CORP., ET AL.**

Defendants.

X

PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other

and further relief as this Court deems just and proper.

Dated: New York, New York

April 30, 2008

Kevin G. Horbatiuk

Kevin G. Horbatiuk (KGH4977)

Matthew P. Mazzola (MM-7427)

Attorneys for Defendant

CUNNINGHAM DUCT WORK s/h/i/a

CUNNINGHAM DUCT CLEANING CO., INC.

RUSSO, KEANE & TONER, LLP

26 Broadway, 28th Floor

New York, New York 10004

(212) 482-0001

RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff
MARTHA ATEHORTUA
115 Broadway - 12th Floor
New York, New York 10006
(212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 30th day of April, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff
MARTHA ATEHORTUA
115 Broadway 12th Floor
New York, New York 10006

Kevin G Horbatiuk

KEVIN G. HORBATIUK